



This document is scheduled to be published in the Federal Register on 10/22/2013 and available online at <http://federalregister.gov/a/2013-24322>, and on [FDsys.gov](http://FDsys.gov)

## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 89-5A018]

### Export Trade Certificate of Review

**ACTION:** Notice of Application to amend the Export Trade Certificate of Review Issued to Outdoor Power Equipment Institute, Inc. (Application no. 89-5A018).

**SUMMARY:** The Office of Competition and Economic Analysis (“OCEA”) of the International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review (“Certificate”). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Joseph Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in

compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

### **Request for Public Comments**

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7025-X, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 89-5A018.”

The Outdoor Power Equipment Institute, Inc. original Certificate was issued on March 19, 1990 (55 FR 11041, March 26, 1990). A summary of the current application for an amendment follows.

### **Summary of the Application**

Applicant: Outdoor Power Equipment Institute, Inc. ("OPEI"), 141 South Patrick Street  
Alexandria, VA 22314.

Contact: Grace W. Kim, Attorney, Telephone (202) 342-8872

Application No.: 89-5A018.

Date Deemed Submitted: September 30, 2013.

Proposed Amendment: OPEI seeks to amend its Certificate to:

1. Remove the following member companies from OPEI's Certificate: Dixon Industries, Inc., Garden Way, Inc., Hoffco, Inc., Howard Price Turf Equipment, Ingersoll Equipment Company, Kut-Kwick Corporation, Maxim Manufacturing Corporation, Ransomes, Inc., Simplicity Manufacturing, Inc., Solo Incorporated, Southland Mower Company, Yazoo Manufacturing Company, Inc.
2. Change the names of the following OPEI members: Deere & Company dba Worldwide Lawn & Grounds Care Division, Moline, IL to Deere & Company (Moline, IL), Honda Power Equipment Manufacturing, Inc. to American Honda Motor Company Power Equipment Division (Alpharetta, GA), and Textron, Inc, dba Bunton, a division of Jacobsen, a division of Textron, Inc., Louisville, KY to Textron, Inc.

*OPEI's proposed amendment of its Export Trade Certificate of Review would result in the following membership list:*

1. American Honda Motor Company Power Equipment Division (Alpharetta, GA)
2. Ariens Company (Brillion, WI)
3. Briggs & Stratton Corporation (Wauwatosa, WI).
4. Deere & Company (Moline, IL)
5. Excel Industries, Inc. (Hesston, KS)
6. Magic Circle Corporation d/b/a Dixie Chopper (Coatesville, IN)
7. Maxim Manufacturing Corporation (Sebastopol, MS)
8. MTD Products, Inc. (Valley City, OH)
9. Scag Power Equipment, Inc. (Mayville, WI)
10. Textron, Inc. (Louisville, KY)
11. Toro Company (The) (Minneapolis, MN)

Dated: September 30, 2013.

Joseph Flynn,

Director, Office of Competition and Economic Analysis.

BILLING CODE 3510-DR-P

[FR Doc. 2013-24322 Filed 10/21/2013 at 8:45 am; Publication Date: 10/22/2013]